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11
12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 **ORDER**

15 United States of America,

16 Plaintiff,

17 v.

18 Matthew Smith,

19 Defendant.

20 Case No. 2:20-mj-00123-DJA

21 **Third stipulation to continue**
22 **preliminary hearing**

23 The parties jointly request that this Court vacate the preliminary hearing
24 scheduled for June 4, 2020, and continue it for at least 30 days because:

- 25 1. The government has extended a written plea offer to Mr. Smith and
26 additional time is needed so that the signature process can be
completed via mail because defense counsel cannot meet Mr. Smith
in person.
2. Denial of this continuance would prejudice the defense and the
government and would unnecessarily consume this Court's valuable
resources.
3. Mr. Smith is in custody and agrees to the continuance.

1 4. Mr. Smith also consents to extending the time within which a
2 preliminary hearing must be held under Federal Rule of Criminal
3 Procedure 5.1(c) and the time within which an indictment must be
4 filed under 18 U.S.C. § 3161(h)(7)(A), when considering the factors
5 under 18 U.S.C. § 3161(h)(7)(B).

6 DATED: June 2, 2020.

7 Rene L. Valladares
8 Federal Public Defender

 Nicholas A. Trutanich
 United States Attorney

9 /s/ *Erin Gettel*
10 By _____
11 Erin Gettel
 Assistant Federal Public Defender

 /s/ *Travis Leverett*
By _____
Travis Leverett
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

v.

Matthew Smith,

Defendant.

Case No. 2:20-mj-00123-DJA

**Order granting third
stipulation to continue
preliminary hearing**

Based on the stipulation of counsel, the Court finds that good cause exists to continue the preliminary hearing currently scheduled for June 4, 2020 for at least 30 days. The additional time is to allow Mr. Smith to return a signed plea agreement to the government and not for purposes of delay. Mr. Smith is in custody and agrees to the continuance, and he consents to extending the time within which a preliminary hearing must be held under Federal Rule of Criminal Procedure 5.1(c) and the time within which an indictment must be filed under 18 U.S.C. § 3161.

Accordingly,

IT IS HEREBY ORDERED that the preliminary hearing currently scheduled for June 4, 2020, at 4:00 p.m. is VACATED and RESET to July 6, 2020 at 4:00 pm in Courtroom 3A.

DATED this 3rd day of June, 2020.



Daniel J. Albregts
United States Magistrate Judge